

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RYAN K. ROZAK,

Plaintiff,

v.

PATRICK CHAMBERLIN, RANDALL R. HEPP,
DYLON RADTKE, LAURA BARTOW,
MATTHEW PATTEN, BRAD HOMPE,
CRIS O'DONNELL, S. BETHKE, BRAD MLODZIK,
DAN DAY, GEORGE COOPER, KAREN GOURLIE,
CHRIS KRUEGER, WELCOME ROSE, MORGAN,
CHARLES FACKTOR, J. BOVEE, EMILY DAVIDSON,
GREG PAHL, MICHAEL OTTO, C. WHITMAN,
L. ALSUM, DENISE BONNETT, N. SHANNON,
A. ROLLKE, CANDI SPULDARN, JULIE LUDWIG,
APRIL SCHULTZ, and M. LINNG,

Defendants.

ORDER

20-cv-8-jdp

Plaintiff Ryan K. Rozak, appearing pro se, is a prisoner at Fox Lake Correctional Institution. Rozak filed a complaint alleging that his constitutional rights have been violated in a variety of ways by 29 defendant prison officials: he included claims about substandard conditions of confinement, his medical care and expensive copayments for that care, discrimination in the way various privileges are awarded in the prison, inadequate and unhealthy meals, and retaliation for his grievances and lawsuits. Dkt. 1.

I concluded that Rozak could not proceed with his claims because his complaint violated Federal Rules of Civil Procedure 18 and 20 by joining claims together that do not belong in the same lawsuit. Dkt. 6. I gave Rozak a chance to submit a brand-new amended complaint limiting his allegations to those that would fit together into one lawsuit under Rules 18 and 20. *Id.* Rozak has submitted an amended complaint removing some of his original claims; he

now limits his allegations to his various claims regarding harmful conditions of confinement, such as asbestos being released from pipes and floor tiles, an inaccurate fire plan and inadequate fire protection measures, insect and rodent infestations, and inadequate ventilation, among other problems. *See* Dkt. 7. He also reduces the number of defendants from 29 to 22. *Id.*

Rozak's amended complaint has fewer pleading problems but he hasn't pared the complaint enough. I warned Rozak that even if he chose to pursue only his conditions-of-confinement claims, not all of those claims belong in the same lawsuit if different sets of defendants are responsible for different problems. Dkt. 6, at 3. There's simply no reason to believe that 22 different officials could be responsible for each of the many unrelated prison conditions that Rozak includes. So I will dismiss his amended complaint and I will give him a final chance to submit an amended complaint that further reduces the number of claims and number of defendants so that his allegations comply with the Federal Rules of Civil Procedure. If his amended complaint doesn't comply with the rules or he fails to respond to the order, I'll dismiss the case.

ORDER

IT IS ORDERED that:

1. Plaintiff Ryan K. Rozak's amended complaint, Dkt. 7, is DISMISSED for failure to comply with Federal Rules of Civil Procedure 18 and 20.
2. Plaintiff may have until August 3, 2020, to submit a new complaint that complies with Rules 18 and 20.

Entered July 20, 2020.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge